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EXAMINER

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ART UNIT	PAPER NUMBER
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2174

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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Technology Center 2100

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/882,172
Filing Date: June 14, 2001
Appellant(s): HARTEL ET AL.

Hartel et. al.
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/27/06 appealing from the Office action
mailed 4/8/05.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,661,437	Miller et al.	12-2003
6,337,696	Lindhorst et al.	1-2002
6,417,872	Zimmerman et al.	7-2002

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(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 7-8, 13-15, 19-20, 25-27, 31-32, and 37 are rejected under 35

U.S.C. 102(e) as being anticipated by Miller et al. (US 6,661,437).

As per claim 1, Miller teaches a method in a data processing system, for editing a property, comprising:

identifying one or more methods invoked by a property editor associated with the property; (See Miller figure 2; items 225, 230, 235, 240; Examiner interprets each item under setup to be a method associated with the property of setup)

selecting a graphical user interface based on the one or more methods invoked by the property editor; (See Miller figure 4, item 415, figure 5, item 545; Since GUI invoked for subtitle language is different from that of the Subtitle display therefore property editor selected a GUI based on the method) and

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providing the graphical user interface for use in editing the property (figure 5, item 545).

As per claim 2, Miller teaches the method of claim 1, wherein the one or more methods invoked by the property editor identify one or more abilities of the property editor. (See Miller figure 4, item 415, figure 5, item 545)

As per claim 3, Miller teaches the method of claim 1, wherein the one or more methods invoked by the editor include one or more PropertyEditor Interface methods. (See Miller figure 4, item 415, figure 5, item 545)

As per claim 7, Miller teaches the method of claim 2, wherein if the one or more abilities include an ability to edit a property using tags, the graphical user interface includes at least one of a popup choice selection area virtual button and a current selection display field. (See Miller col. 7, lines 1-36)

As per claim 8, Miller teaches the method of claim 7, wherein if the popup choice selection area virtual button is selected, a choice selection area popup is presented. (See Miller col. 7, lines 1-36)

As per claims 13-15 and 19-20, they are of similar scope to claims 1-3 and 7-8, respectively, and are rejected under the same rationale (see rejections above)

As per claims 25-27 and 31-32 they are of similar scope to claims 1-3 and 7-8, respectively, and are rejected under the same rationale (see rejections above)

As per claim 37, it is of the same scope as claim 3. (see rejection above)

38 is Cancelled

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6, 16-18, and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US 6,661,437) in view of Lindhorst et al. (US 6,337,696).

As per claim 4, Miller teaches the method of claim 2. However Miller fails to teach wherein if the one or more abilities include a text editing ability, the graphical user interface includes a text field entry area.

Lindhorst teaches the method wherein if the one or more abilities include a text editing ability, the graphical user interface includes a text field entry area (see Lindhorst, column 18, lines 27 – 31).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Lindhorst with the method of Miller in order to allow the user to edit properties that must be input as strings.

As per claim 5, Miller teaches the method of claim 4. However Miller fails to teach wherein if the one or more abilities include a text editing ability, the graphical user interface further includes an entry error indicator.

Lindhorst teaches the method wherein if the one or more abilities include a text editing ability, the graphical user interface further includes an entry error indicator (see Lindhorst, column 18, lines 54 – 57).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Lindhorst with the method of Miller in order to ensure that only valid input is received by the property editor.

As per claim 6, Miller teaches the method of claim 5. However Miller fails to teach wherein the entry error indicator is only visible when an entry in the text field entry area is invalid.

Lindhorst teaches the method of claim 5, wherein the entry error indicator is only visible when an entry in the text field entry area is invalid (see Lindhorst, column 18, lines 51 – 53).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Lindhorst with the method of Miller in order to ensure that only valid input is received by the property editor.

As per claims 16 and 28, they are of similar scope to claim 4 and are rejected under the same rationale as claim 1. (see rejection above)

As per claims 17 and 29, they are of similar scope to claim 5 and are rejected under the same rationale as claim 1 (see rejection above).

As per claims 18 and 30, they are of similar scope to claim 6 and are rejected under the same rationale as claim 1 (see rejection above).

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Claims 9, 12, 21, 24, 33, 36, and 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US 6,661,437) in view of Zimmerman (US 6,417,872).

As per claim 9, Miller teaches the method of claim 2. However Miller fail to teaches wherein if the one or more abilities includes an ability to edit the property using a custom editor interface, the graphical user interface includes a popup custom component area virtual button.

Zimmerman wherein if the one or more abilities includes an ability to edit the property using a custom editor interface, the graphical user interface includes a popup custom component area virtual button (see Zimmerman, column 6, line 53 – 64; the examiner interprets the tabs representing property groups to be popup custom component area virtual button because by selecting a tab, a custom property sheet page is displayed).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Zimmerman with the method of Miller in order to provide a single application having only a desired functionality to users without requiring creation of several versions of the application.

As per claim 12, Miller and Zimmerman further teaches the method of claim 9. Zimmerman further teaches wherein a custom component area is presented in response to selection of the popup custom component area virtual button, and wherein the custom component area includes a custom editor for the property. (see Zimmerman, column 6, lines 53 – 64; the examiner interprets a property sheet page as a custom component area including a custom editor for the property because it contains various properties of a specific type of object).

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As per claim 21, it is of the same scope as claim 9. (See rejection above)

As per claim 24, it is of the same scope as claim 12. (See rejection above)

As per claim 33, it is of the same scope as claim 9. (See rejection above)

As per claim 36, it is of the same scope as claim 12. (See rejection above)

As per claim 40, Miller teaches the method of claim 37. However he fails to teach wherein if the one or more methods include a getTags method, the graphical user interface includes a popup choice selection area virtual button and a current selection display field.

Zimmerman teaches wherein if the one or more methods include a getTags, method, the graphical user interface includes a popup choice selection area virtual button and a current selection display field (see Zimmerman, column 8, lines 55 – 60; the examiner interprets the GetPredefinedStrings method to be a getTags method).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Zimmerman with the method of Miller in order to provide a single application having only a desired functionality to users without requiring creation of several versions of the application.

As per claim 41, Miller teaches the method of claim 21. However he fails to teach wherein if the one or more methods includes at least one of a supportsCustomEditor method and a getCustomEditor method, the graphical user interface includes a popup custom component area virtual button.

Zimmerman teaches wherein if the one or more methods includes at least one of a supportsCustomEditor method and a getCustomEditor method, the

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graphical user interface includes a popup custom component area virtual button (see Zimmerman, column 9, lines 1 – 17; the examiner interprets the MapPropertyToPage method as a getCustomEditor method).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Zimmerman with the method of Miller in order to provide a single application having only a desired functionality to users without requiring creation of several versions of the application.

Claims 10, 11, 22, 23, 34, 35 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US 6,661,437) in view of Zimmerman (US 6,417,872) further in view of Lindhorst et al. (US 6,337,696).

As per claim 10, Miller and Zimmerman teach the method of claim 9. Zimmerman further teaches the method of claim 9, wherein if the one or more abilities includes an ability to edit the property using a custom editor interface. Miller and Zimmerman do not teach wherein the graphical user interface further includes at least one of a text entry field and an entry error indicator. Lindhorst teaches wherein the graphical user interface further includes at least one of a text entry field and an entry error indicator (see Lindhorst, column 18, lines 27 – 31 and Lindhorst, column 18, lines 54 – 57).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Lindhorst with the method of Miller and Zimmerman in order to allow the user to edit properties that must be input as strings and to ensure that only valid input is received by the property editor.

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As per claim 11, Miller and Zimmerman teach the method of claim 10. They fail to teach wherein the entry error indicator is only displayed when an invalid entry is entered in the text field entry area. Lindhorst teaches wherein the entry error indicator is only displayed when an invalid entry is entered in the text field entry area (see Lindhorst, column 18, lines 51 – 53). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Lindhorst with the method of Miller and Zimmerman in order to ensure that only valid input is received by the property editor.

As per claims 22 and 34, they are of similar scope to claim 10 and are rejected under the same rationale as claim 1 (see rejection above).

As per claims 23 and 35, they are of similar scope to claim 11 and are rejected under the same rationale as claim 1 (see rejection above).

As per claim 39, which is dependent on claim 37. Miller teaches the method of claim 37. However, he fails to teach wherein one or more methods includes at least one of a `getAsText` method and a `setAsText` method.

Zimmerman teaches wherein one or more methods includes at least one of a `getAsText` method and a `setAsText` method (see Zimmerman, column 8, lines 18 – 20; the examiner interprets the `GetDisplayString` method as a `getAsText` method).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Zimmerman with the method of Miller in order to provide a single application having only a desired functionality to users without requiring creation of several versions of the application.

Miller and Zimmerman do not teach wherein if the one or more methods includes at least one of a `getAsText` method and a `setAsText` method, the graphical user interface includes a text field entry area and an entry error indicator. Lindhorst teaches wherein if one or more methods includes receiving a string input, the graphical user interface includes a text field entry area and an entry error indicator (see Lindhorst, column 18, lines 27 – 31 and lines 48 – 57).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Lindhorst with the method of Miller and Zimmerman in order to allow the user to edit properties that must be input as strings and to ensure that only valid input is received by the property editor.

(10) Response to Argument

Appellant's arguments focused on the following:

A. Claims 1-3, 7, 8, 13-15, 19, 20, 25-27, 31, 32 and 37

1) Appellant alleges Miller fails to teach identifying one or more methods invoked by a property editor associated with the property.

Examiner disagrees. The examiner does not agree for the following reasons:

During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Appellant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

In this case, Miller teaches this limitation because each option on its menu is a method for a property. (see Miller, column 7, lines 40-60) Appellant has defined a “property” as a data type, which includes text color, background color, text string, windspeed, percentage, computer operating system, and the like. (see Appellant’s specification, page 14, lines 1-10) Miller allows users to modify properties such as, color, contrast, sharpness, and language preference for devices, which include personal computer, dvd player, satellite receiver and internet compatible device. (see Miller, column 1, lines 10-30) These properties are different data types for different devices. Therefore, by providing option menus for editing these properties, Miller allows users to evoke methods associated with these properties.

2) Appellant alleges Miller fails to teach a graphical user interface based on the one or more methods invoked by the property editor.

Examiner disagrees. Miller teaches this limitation by providing a graphical user interface for each option menu. (see Miller, figure 9, items 920, 905, 910, 915, 925, and 930; figure 11, items 1155; figure 3, item 335) Miller’s menus are graphical user interfaces. They allow users to adjust property value through buttons, scroll bars, radio buttons, and other interface components. (see Miller, figure 9, items 920, 905, 910, 915, 925, and 930; figure 11, items 1155; figure 3, item 335) Furthermore, each menu option

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has its own interface. For example, color menu has a scroll bar; subtitle has radio buttons; and play list has a list of selection button. (see Miller, figure 9, items 920, 905, 910, 915, 925, and 930; figure 11, items 1155; figure 3, item 335) Therefore, Miller's menu evokes a different graphical user interface for each selected property method.

A.1. 35 U.S.C. 102, Anticipation of claim 3, 15, 27 and 37.¹

1) Appellant alleges Miller fails to teach a property editor interface.

Examiner disagrees. Miller teaches this limitation with its option menus, which allow users to adjust property value. (see Miller, column 1, lines 30-40) By adjusting those values, the users can editing the property of a computer, a dvd player, a satellite receiver, or an internet compatible device. (see Miller, column 1, lines 30-40) Appellant defines a property editor interface as "the selected graphical user interface [that] is provided to a user, such as a programmer, who may use the graphical user interface to thereby edit the property." (see appellant's specification, page 3, lines 8-14; "summary of the invention") Therefore, by allowing user to adjust the properties of a device through an interface, Miller teaches a property editor.

A.2. 35 U.S.C. 102, Anticipation of claim 7, 8, 19, 20, 31, and 32²

1) Appellant alleges Miller fails to teach an interface that uses tags, which is a graphical user interface that includes at least a popup choice selection virtual button and a current selection display field

¹ In the appeal brief, appellant stated that these claim were rejected under 35 U.S.C 103. Since these claims were rejected under 35 U.S.C 102 in the final office action, examiner assumes it was a typographical error.

² In the appeal brief, appellant stated that these claim were rejected under 35 U.S.C 103. Since these claims were rejected under 35 U.S.C 102 in the final office action, examiner assumes it was a typographical error.

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Examiner disagrees. Miller teaches this limitation because the menu for subtitle has a popup choice selection that includes a currently selected field. (see Miller, figure 4, item 415)

B. Ground for rejection 2 (Claims 4-6, 16-18 and 28-30)

1) Appellant alleges Lindhorst fails to cure the deficiency of Miller alleged in section A of the appeal brief.

Examiner disagrees for the same reason layed out in section A.

2) Appellant alleges there is no motivation to combine Lindhorst and Miller.

Examiner disagrees. Miller's menu options are designed for personal computer and other Internet compatible device. (see Miller, column 1, lines 30-40) Lindhorst teaches a software program for creating and editing event handlers that are linked to an object with HTML and other Internet documents. (see Lindhorst, col. 1, lines 65-column2, lines 10) Therefore, in order for an Internet preference menu to operate on a computer or a internet compatible device, a programmer would want to combine Lindhorst's teaching with Miller's method.

C) Ground rejection 3 (claim 9, 12, 21, 24, 33, 36, 40 and 41)

1) Appellant alleges Zimmerman fails to cure the deficiency of Miller alleged in section A of the appeal brief.

Examiner disagrees for the same reason layed out in section A.

C.1. 35 U.S.C. 103 Obviousness of claim 9, 12, 21, 24, 33 and 36

1) Appellant alleges there is no motivation to combine Zimmerman with Miller because they are non-analogous art.

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Examiner disagrees. Zimmerman and Miller are analogous because they both deal with methods of property editing using a menu. (see Zimmerman, column 2, lines 23-40; and Miller column 1, lines 30-40)

C.2. 35 U.S.C. 103 Obviousness of claim 40

1) Appellant alleges Zimmerman fails to provide user with a choice of buttons.

Examiner disagrees. Zimmerman teaches this limitation because it allows users to select their choice of button from a drop down list. (see Zimmerman column 5, lines 25-47).

C.3. 35 U.S.C. 103 Obviousness of claim 41

1) Appellant alleges Zimmerman fails to teach a custom editor.

Examiner disagrees. Zimmerman teaches this limitation because it allows users to design their own menu for an editor. (see Zimmer column 5, lines 25-48)

D Ground Rejection 4 (claim 10, 11, 22, 23, 34, 35 and 39)

1) Appellant alleges Lindhorst and Zimmerman fail to cure the deficiency of Miller alleged in section A of the appeal brief.

Examiner disagrees for the same reason layed out in section A.

(11) Related Proceeding(s) Appendix

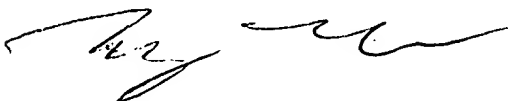
No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Peng Ke



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